

E-filed 7/16/07

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 Attorneys for Plaintiffs,
 KARLONG CHAN, a minor, by and through his
 Guardian Ad Litem, YUEN CHONG CHAN; and
 YUEN CHONG CHAN

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE

KARLONG CHAN, a minor, by and
 through his Guardian Ad Litem, YUEN
 CHONG CHAN; and YUEN CHONG
 CHAN, aka EVA CHAN,

 Plaintiffs,

 v.

 CUPERTINO UNION SCHOOL
 DISTRICT, a California School District;
 et al.,

 Defendants.

Case No. C07-01837 HRL

**AMENDED STIPULATION AND
 ORDER CONTINUING
 THE MOTION TO DISMISS
 COMPLAINT FOR DAMAGES AND
 MOTION TO STRIKE**

Plaintiffs, KARLONG CHAN (“KARLONG”), a minor, by and through his Guardian Ad
 Litem, YUEN CHONG CHAN, and YUEN CHONG CHAN, aka EVA CHAN (“EVA”), and
 Defendants, CUPERTINO UNION SCHOOL DISTRICT (“CUSD”), RUSS OTTEY
 (“OTTEY”), SARAH CROWE, (“CROWE”), COUNTY OF SANTA CLARA (“COUNTY”),
 EMQ CHILDREN AND FAMILY SERVICES (“EMQ”), RODERICK J. MACKENZIE, JR.
 (“MACKENZIE”), CARLOS AGUILA (“AGUILA”) by and through their respective attorneys
 of record, hereby stipulate that the hearing on Defendants, CUSD, OTTEY, CROWE, COUNTY,
 EMQ, AGUILA and MACKENZIE’s Motion to Dismiss Complaint for Damages and Motion to
 Strike currently set for August 14, 2007 at 10:00 a.m. be continued until August 21, 2007, at

1 10:00 a.m. in Courtroom 2, 5th floor of the United States District Court, 280 South First Street,
2 San Jose, CA; the briefing schedule to be based on the new hearing date.

3 All counsel have agreed to said continuance in order to accommodate Ms. Laughrin's out
4 of the country vacation previously scheduled.

5 Dated: July 12, 2007

CAMPBELL, Warburton, Fitzsimmons,
SMITH, Mendell & Pastore

6 By: /s/
7 J. Michael Fitzsimmons
8 Kelly M. Laughrin,
9 Attorneys for Plaintiffs,
10 KARLONG CHAN and EVA CHAN

11 Dated: July 13, 2007

NEEDHAM, Davis, Kepner & Young, LLP

12 By: /s/
13 Mark Davis
14 Attorney for Defendants, CUPERTINO UNION
15 SCHOOL DISTRICT, RUSS OTTEY, and
16 SARAH CROWE

17 Dated: July 12, 2007

ERICKSEN, Arbuthnot, Kilduff, Day &
Lindstrom, Inc.

18 By: /s/
19 Sharon L. Hightower
20 Attorneys for Defendants,
21 COUNTY OF SANTA CLARA, EMQ CHILDREN AND
22 FAMILY SERVICES, RODERICK J. MACKENZIE, JR.,
23 and CARLOS AGUILA

24 -----
25 [ORDER]

26 Good cause appearing therefor:

27 IT IS HEREBY ORDERED that the hearing on Defendants, CUSD, OTTEY, CROWE,
28 COUNTY, EMQ, AGUILA and MACKENZIE's Motion to Dismiss Complaint for Damages
and Motion to Strike currently set for August 14, 2007 at 10:00 a.m. be continued until August
21, 2007, at 10:00 a.m. in Courtroom 2, 5th floor of the United States District Court, 280 S. First
Street, San Jose, CA. The briefing schedule to change accordingly.

Dated: 7/16/07

By: 
HON. HOWARD R. LLOYD
MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT

PURSUANT TO GENERAL ORDER 45,

I, Kelly M. Laughrin, the ECF User transmitting and filing this Stipulation and [Proposed] Order Continuing the Motion to Dismiss Complaint for Damages and Motion to Strike, attest that I have obtained the concurrence of Sharon L. Hightower and Mark Davis on this filing. I declare under penalty of perjury.

Dated: July 12, 2007

CAMPBELL, WARBURTON, FITZSIMMONS,
SMITH, MENDELL & PASTORE

By: /s/
J. Michael Fitzsimmons
Kelly M. Laughrin,
Attorneys for Plaintiffs,
KARLONG CHAN and EVA CHAN